

The Cochin Municipal Regulation Amendment Bill.

Whereas it is considered expedient to further amend the Cochin Municipal Regulation, XI of 1936, it is hereby enacted as follows:—
Preamble.

Title and preamble put and carried.

Mr. Thomas Manjuran.—I move that the Bill may be taken up and finally passed day after tomorrow.

Motion put and carried.

The Cochin Children Bill.

Mr. Thomas Manjuran.—I rise to present the Select Committee Report on the Cochin Children Bill and I also move that the Bill as reported by the Select Committee be taken up for consideration.

Mr. T. S. Narayana Ayyar.—I second it.

Motion put and carried.

Mr. President.—The question is that clauses 2 to 43 both inclusive stand part of the Bill.

2. In this Regulation unless there is anything repugnant in the subject or context:
Definitions.

(1) "child" means a person under the age of fourteen years and when used in reference to a child sent to a certified school applies to that child during the whole period of detention, notwithstanding that the child attains the age of fourteen years before the expiration of that period;

(2) "young person" means a person who is fourteen years of age or upwards and under the age of sixteen years;

(3) "youthful offender" means any person who has been convicted of an offence punishable with imprisonment and who at the time of such conviction was under the age of sixteen years;

(4) "guardian" in relation to a child, young person, or youthful offender includes any person who, in the opinion of the court having cognizance of any case in relation to the child, young person, or youthful offender, or in which the child, young person, or youthful offender is concerned, has for the time being the charge of or control over the child, young person, or youthful offender;

(5) "certified school" means a school established or certified under this Regulation;

(6) "junior certified school" means a certified school for the training of children;

(7) "senior certified school" means a certified school for the training of youthful offenders;

(8) "prescribed" means prescribed by rules under this Regulation.

3. The powers conferred on courts by this Regulation shall be exercised only by—(a) the Chief Court, (b) a court of Session, (c) the District Magistrate, (d) a first class Magistrate and (e) any Juvenile Court constituted under section 35 and may be exercised by such courts whether the case comes before them originally or on appeal.

4. (1) When any Magistrate not empowered to pass an order under this Regulation is of opinion that a child or young person brought before him or convicted by him is a proper person to be committed to a certified school or to be dealt with in any other manner in which the case may be dealt with under this Regulation, he shall record such opinion and submit his proceedings and forward the child or young person to the District Magistrate or to the Magistrate presiding over the nearest Juvenile Court having jurisdiction in the case.

(2) The Magistrate to whom the proceedings are so submitted may make such further inquiry (if any) as he may think fit and may pass such order dealing with the case as he might have passed if the child or young person had originally been brought before or tried by him.

PART II.

Senior certified and Junior certified schools.

5. (1) The Government may establish and maintain senior certified and junior certified schools for the reception of youthful offenders and children.

(2) The Government may certify that any senior certified or junior certified school not established under sub-section (1) is fit for the reception of youthful offenders or children.

6. (1) For the control and management of every senior certified or junior certified school established under section 5, sub-section (1), a superintendent and a committee of visitors shall be appointed by the Government and such superintendent and committee shall be deemed to be the managers of the school for the purposes of this Regulation.

(2) Every school certified under section 5, sub-section (2), shall be under the management of a governing body who shall be deemed to be the managers of the school for the purposes of this Regulation.

7. (1) The Government may appoint a chief inspector of certified schools and such number of Inspectors and assistant inspectors as it thinks advisable to assist the chief

inspector; and every person so appointed to assist the chief inspector shall have such of the powers and duties of the chief inspector as the Government directs but shall act under the direction of the chief inspector.

(2) Every certified school shall, at least once in every year, be inspected by the chief inspector of certified schools, or by an inspector or assistant inspector, provided that where any such school is for the reception of girls only and such inspection is not made by the chief inspector, the inspection shall, where practicable, be conducted by a woman.

8. A certified school shall be liable to inspection at all times and in all its departments by the chief inspector and by the inspector and assistant inspector.

9. Any registered medical practitioner empowered in this behalf by the Government may visit any certified school at any time with or without notice to its managers in order to report to the chief inspector on the health of the inmates and the sanitary condition of the school.

10. The Government, if dissatisfied with the condition, rules, management, or superintendence of a certified school, may, at any time, by notice served on the managers of the school, declare that the certificate of the school is withdrawn as from a time specified in the notice, and at that time the withdrawal of the certificate shall take effect, and the school shall cease to be a certified school :

Provided that the Government may, if it thinks fit, instead of so withdrawing the certificate, by notice served on the managers of the school, prohibit the admission of the youthful offenders or children to the school for such time as may be specified in the notice or until the notice is revoked.

11. The managers of a certified school may, on giving six months' notice in writing to the Government through the chief inspector of their intention so to do, resign the certificate of the school, and accordingly at the expiration of six months from the date of the notice (unless before that time the notice is withdrawn) the resignation of the certificate shall take effect, and the school shall cease to be a certified school.

12. A youthful offender or child shall not be received into a certified school in pursuance of this Regulation after the date of the receipt by the managers of the school of a notice of withdrawal of the certificate or after the date of a notice of resignation of the certificate; but the obligation hereinafter mentioned of the managers to teach, train, lodge, clothe and feed any youthful offenders, or children detained in the school at the respective dates aforesaid shall, except so far as the Government otherwise directs, continue until the withdrawal or resignation of the certificate takes effect.

13. When a school ceases to be a certified school, the youthful offenders or children detained therein shall be either discharged or transferred, by order of the Government, to some other certified school in accordance with the provisions of this Regulation relating to discharge and transfer.

14. The Government may establish auxiliary homes for the reception of any inmates or any classes of inmates of certified schools or may certify any other such home heretofore or hereafter established by any other persons, and the certificate may be withdrawn or resigned in like manner as a certificate of a school, and every such home shall, for such purposes as are specified by the Government, be treated as part of the school or schools to which it is attached.

15. The managers of a certified school not established by the Government may decline to receive any youthful offender or child proposed to be sent to them in pursuance of this Regulation, but when they have once accepted any such offender or child, they shall be deemed to have undertaken to teach, train, lodge, clothe, and feed him during the whole period for which he is liable to be detained in the school, or until the withdrawal or resignation of the certificate of the school.

16. (1) The Government may cause any institution for the reception of poor children or young persons supported wholly or partly by voluntary contributions, and not liable to be inspected by or under the authority of any Government department, to be visited and inspected from time to time by persons appointed by it for the purpose.

(2) Any person so appointed shall have power to enter the institution at all reasonable hours and to make a complete inspection thereof and of all papers, registers, and accounts relating thereto. Any person who obstructs him in the execution of his duties shall be liable on conviction to a fine not exceeding fifty rupees.

(3) Where any such institution is carried on in accordance with the principles of any particular religious denomination the Government shall, if so desired by the managers of the institution, appoint, where practicable, a person of that denomination to visit and inspect the institution.

(4) Where any such institution is for the reception of girls only the inspection shall, where practicable, be conducted by a woman.

PART III.

Youthful offenders.

17. Where a person apparently under the age of sixteen years is arrested on a charge of a non-bailable offence and cannot be brought forthwith before a court, the officer in charge of the police station to which such person is brought shall release him on bail if sufficient surety is forthcoming, unless for reasons to be recorded in writing the officer believes that such release would defeat the ends of justice or that the release of the child or young person would bring him into association with any reputed criminal.

18. Where a person apparently under the age of sixteen years having been arrested is not released under section 17 or otherwise, the officer in charge of the police station shall cause him to be detained in the prescribed manner, until he can be brought before a court.

Custody of children and young persons not discharged on bail after arrest.

19. A court, on remanding or committing for trial, a child or young person who is not released on bail shall order him to be detained in the prescribed manner.

Remand or committal to custody.

20. (1) Where a child or young person is charged with any offence, or where a child is brought before a court on an application for an order to send him to a junior, certified school, his parent or guardian may in any case, and shall, if he can be found and resides within reasonable distance and the person so charged or brought before the court is a child, be required to attend at the court before which the case is heard during all the stages of the proceedings, unless the court is satisfied that it would be unreasonable to require his attendance.

Attendance at court of parent of child or young person charged with an offence.

(2) Where the child or young person is arrested, the officer in charge of the police station to which he is brought shall cause the parent or guardian of the child or young person, if he can be found, to be warned to attend at the court before which the child or young person will appear.

(3) The parent or guardian whose attendance shall be required under this section shall be the parent or guardian having the actual possession and control of the child or young person:

Provided that if that person is not the father, the attendance of the father may also be required.

(4) The attendance of the parent of a child or young person shall not be required under this section in any case where the child or young person was before the institution of the proceedings removed from the custody or charge of his parent by an order of a court.

21. Notwithstanding anything to the contrary contained in any law, no child or young person shall be sentenced to death or imprisonment or committed to prison in default of payment of a fine or in default of furnishing security:

Sentence that may not be passed on a child.

Provided that a young person may be sentenced to imprisonment or committed to prison as aforesaid where the court certifies that he is of so unruly or of so depraved a character that he is not a fit person to be sent to a senior certified school and that none of the other methods in which the case may legally be dealt with is suitable.

22. (1) Where any person who, in the opinion of the court before which he is charged, is twelve years of age, but less than sixteen years of age, is convicted of an offence punishable with imprisonment, the court may, in addition to or in lieu of sentencing him according

Commitment of offenders between twelve and sixteen years of age to certified school.

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to law to any other punishment, order that he be sent to a senior certified school.

(2) Where a child apparently under the age of twelve years is found to have committed an offence punishable with imprisonment, the court, if satisfied on inquiry that it is expedient so to deal with the child, may order him to be sent to a junior certified school.

(3) Where a child apparently of the age of twelve or thirteen years, is found to have committed an offence punishable with imprisonment, and the court is satisfied on inquiry that the child should be sent to a certified school, but, having regard to the special circumstances of the case, should not be sent to a senior certified school, and is also satisfied that the character and antecedents of the child are such that he will not exercise an evil influence over the other children in any junior certified school, the court may order the child to be sent to a junior certified school, having previously ascertained that the managers are willing to receive the child:

Provided that the Government may, on application of the managers of the junior certified school, by order transfer the child to a senior certified school.

(4) Where a child or young person has been ordered by a court to give security under section 91 or section 102 of the Cochin Code of Criminal Procedure, and has failed to do so, the court which passed the order may order such child or young person to be sent to a junior certified school or a senior certified school respectively.

(5) Where prior to the commencement of this Regulation a youthful offender has been sentenced to imprisonment, the Government may direct that in lieu of undergoing or completing such sentence, if under the age of sixteen years, he shall be sent to a senior certified school; and thereupon the offender shall be subject to all the provisions of this Regulation as if he had been originally sentenced to detention in a senior certified school.

23. The order in pursuance of which the youthful offender or child is sent to a certified school shall specify the time Period of detention, for which the youthful offender or child is to be detained in the school, being—

(a) in the case of a youthful offender sent to a senior certified school, not less than two and not more than five years but not in any case extending beyond the time when the youthful offender will, in the opinion of the court, attain the age of eighteen years; and

(b) in the case of a child sent to a junior certified school such time as to the court may seem proper for the teaching and training of the child, but not in any case extending beyond the time when the child will, in the opinion of the court, attain the age of sixteen years.

24. A court may, if it shall think fit, instead of directing any youthful offender to be detained in a certified school, order him to be—
Power to discharge youthful offender or to commit him to suitable custody.

- (a) discharged after due admonition, or
- (b) committed to the custody of his parent or guardian or any adult relative on such parent, guardian or relative executing a bond, with or without sureties, as the court may require to be responsible for the good behaviour of the youthful offender for any period not exceeding twelve months, and the court may in either case pass a further order that the youthful offender be placed under the supervision of a person named by the court.

25. (1) Where a child or young person is convicted of an offence punishable with fine and the court is of opinion that the case would be best met by the imposition of a fine, whether with or without any other punishment, the court may in any case, and shall, if the offender is a child, order that the fine be paid by the parent or guardian of the child or young person, unless the court is satisfied that the parent or guardian cannot be found or that he has not conducted to the commission of the offence by neglecting to exercise due care of the child or young person.

(2) An order under this section may be made against a parent or guardian who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard.

(3) Where a parent or guardian is directed to pay a fine under this section, the amount may be recovered in accordance with the provisions of the Cochin Code of Criminal Procedure.

26. (1) When a child or young person is convicted of an offence of so serious a nature that the court is of opinion that no punishment which under the provisions of this Regulation it is authorised to inflict is sufficient, the court shall order the offender to be kept in safe custody in such place or manner as it thinks fit and shall report the case for the orders of the Government.

(2) Notwithstanding the provisions of section 21, the Government may order any such child or young person to be detained in such place and on such conditions as it thinks fit, and while so detained the child or young person shall be deemed to be in legal custody:

Provided that no period of detention so ordered shall exceed the maximum period of imprisonment to which the child or young person could have been sentenced for the offence committed.

27. Where a child or young person charged with any offence is tried by any court and the court is satisfied of his guilt, the court shall take into consideration the manner in which, under the provisions of this or any other Regulation enabling the court to deal with the case, the case should be dealt with, namely, whether,

- (a) by discharging the offender after due admonition; or
- (b) by committing the offender to the custody of his parent, guardian, or any adult relative, on such parent, guardian, or relative executing a bond to be responsible for his good behaviour; or

- (c) by so discharging or committing the offender and placing him under the supervision of a person named by the court; or
- (d) by sending the offender to a junior certified school; or
- (e) by sending the offender to a senior certified school; or
- (f) by ordering the offender to be whipped; or
- (g) by ordering the offender to pay a fine; or
- (h) by ordering the parent or guardian of the offender to pay a fine; or
- (i) where the offender is a young person, by sentencing him to imprisonment; or
- (j) by dealing with the case in any other manner in which it may legally be dealt with:

Provided that nothing in this section shall be construed as authorising the court to deal with any case in any manner in which it could not deal with the case apart from this section.

PART IV.

Children and Young Persons not being Youthful Offenders.

28. (1) In any area to which the Government shall direct that this section shall apply, any person authorised in this behalf in accordance with rules made by the Government may bring before a court any person apparently under the age of fourteen years who—

(a) is found wandering and not having any home or settled place of abode, or visible means of subsistence, or is found wandering and having no parent or guardian or a parent or guardian who does not exercise proper guardianship; or

(b) is found destitute, not being an orphan and having both parents or his surviving parent, or in the case of an illegitimate child his mother, undergoing imprisonment; or

(c) is under the care of a parent or guardian who, by reason of criminal or drunken habits, is unfit to have the care of the child; or

(d) frequents the company of any reputed thief; and the court before which a person is brought as coming within one of those descriptions, if satisfied, on inquiry of that fact, and that it is expedient so to deal with him, may order him to be sent to a junior certified school.

(2) Where under this Regulation a court is empowered to order a child to be sent to a junior certified school the court in lieu of ordering him to be so sent, may make an order for the committal of the child to suitable custody in the prescribed manner until he attains the age of sixteen years, or for any shorter period.

(3) Any police officer or other person authorised by the Government in this behalf may bring before a court any person apparently of the age of fourteen or fifteen years so circumstanced that if he were a child he would come within one or other of the descriptions mentioned in sub-section (1) and the court, if satisfied, on inquiry,

of that fact, and that it is expedient so to deal with him, may make an order for his committal to suitable custody in the prescribed manner until he attains the age of sixteen years, or for any shorter period.

(4) The court which makes an order committing a child or young person to suitable custody under this section may, in addition, order that the child or young person be placed under the supervision of a person named by the court.

29. Where the parent or guardian of a child proves to a court that he is unable to control the child and that he desires the child to be sent to a junior certified school, the court, if satisfied on inquiry that it is expedient so to deal with the child, and that the parent or guardian understands the results which will follow, may order him to be sent to any such school.

PART V.

Maintenance and Treatment of persons sent to Certified Schools or Committed to Suitable Custody.

30. (1) The Court which makes an order for the detention of a youthful offender or a child in a certified school or for the committal of a child or young person to suitable custody under this Regulation may make an order on the parent or other person liable to maintain the youthful offender, child or young person to contribute to his maintenance, if able to do so, in the prescribed manner.

(2) Any order made under this section may, from time to time, be varied by the court.

(3) The persons liable to maintain a youthful offender, child or young person shall for the purposes of sub-section (1) include in the case of illegitimacy his putative father:

Provided that where the youthful offender, child or young person is illegitimate and an order for his maintenance has been made under section 389 of the Cochin Code of Criminal Procedure, the court shall not ordinarily make an order for contribution against the putative father but may order the whole or any part of the payment accruing due under the said order for maintenance to such person or persons as may be named, to be applied by him or them towards the maintenance of the youthful offender, young person or child.

(4) Any order under this section may be enforced in the same manner as an order under section 389 of the Cochin Code of Criminal Procedure.

31. The managers of a junior certified school to which a child under the age of eight years is sent may, with the consent of the chief inspector, board the child out with any suitable person until the child reaches the age of ten years and thereafter for such longer period, with the consent of the chief inspector, as the managers consider to be advisable in the interest of the child, subject to the exercise by the managers of such powers as to supervision, recall, and otherwise as may be prescribed; and where a child is so boarded

out he shall nevertheless be deemed for the purposes of this Regulation to be a child detained in the school, and the provisions of this Regulation shall apply accordingly, subject to such necessary adaptations as may be made by the Government.

32. (1) Where a youthful offender or child is detained in a certified school, the managers of the school may at any time with the consent of the chief inspector, or after the expiration of eighteen months of the period of detention without any such consent, by license permit the youthful offender or child on the conditions prescribed in this behalf to live with any trustworthy and respectable person named in the license willing to receive and take charge of him.

(2) Any license so granted shall be in force until revoked or forfeited by the breach of any of the conditions on which it was granted.

(3) The managers of the school may at any time by order in writing revoke any such license, and order the youthful offender or child to return to the school and shall do so at the desire of the person with whom the youthful offender or child is licensed to live. If the youthful offender or child refuses or fails to return to the school, the managers of the school may, if necessary, arrest or cause to be arrested the youthful offender or child and take him or cause him to be taken back to the school.

(4) When a license has been revoked or forfeited and the youthful offender or child refuses or fails to return to the school, a court, if satisfied by information on oath that there is reasonable ground for believing that his parent or guardian could produce the youthful offender or child, may issue a summons requiring the parent or guardian to attend at the court on such a day as may be specified in the summons, and to produce the child, and, if he fails to do so without reasonable excuse, he shall, in addition to any other liability to which he may be subject under the provisions of this Regulation, be punishable with a fine not exceeding fifty rupees.

(5) Where a parent or guardian is directed to pay a fine under this section the amount may be recovered in accordance with the provisions of the Cochin Code of Criminal Procedure.

(6) The time during which a youthful offender or child is absent from a certified school in pursuance of a license under this section shall be deemed to be part of the time of his detention in the school: Provided that, where a youthful offender or child has failed to return to the school on the license being revoked or forfeited, the time which elapses after his failure so to return shall be excluded in computing the time during which he is to be detained in the school.

33. Whoever —

(a) knowingly assists or induces directly or indirectly a youthful offender or child detained in or placed out on license from a certified school to escape from the school or from any person with whom he is placed out on license, or any child or young person to escape

Penalty for abetting escape of youthful offender or child.

from the person to whose custody he is committed under the provisions of this Regulation,

(b) knowingly harbours, conceals, or prevents from returning to school, or to any person with whom he is placed out on license, or to the person to whose custody he is committed under this Regulation, a youthful offender, child or young person who has so escaped, or knowingly assists in so doing,

shall be punishable with imprisonment for a term which may extend to two months or with a fine not exceeding two hundred rupees, or with both.

34. (1) The Government may at any time order a youthful offender or a child to be discharged from a certified school, Discharge and transfer. either absolutely or on such conditions as the Government approves.

(2) The Government may order—

(a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school;

(b) a youthful offender or child to be transferred from one senior certified school to another, or from one junior certified school to another;

(c) a child over the age of twelve years detained in a junior certified school to be transferred to a senior certified school,

(i) when such transfer is for the welfare of the child, or

(ii) when the child is found to be exercising an evil influence over any other child or children in the school or is guilty of a serious breach of the rules of the school or of escaping from the school;

(d) a youthful offender over the age of fourteen years detained in a junior certified school to be transferred to a senior certified school when a majority of the other children in the junior certified school are much below his age, or when there is not sufficient accommodation in the junior certified school;

(3) The total period of detention of the youthful offender or child shall not be increased by any transfer under this section.

PART VI.

Juvenile Courts.

35. (1) The Government may provide for the establishment of one or more separate courts for the hearing of charges against children or young persons or of applications for orders or licenses relating to child or young person at which the attendance of the child or young person is required, assigning to such courts such territorial jurisdiction as they consider to be appropriate.

(2) Where no such separate court has been established, the court before which a child or young person is brought shall, unless the child or young person is tried jointly with any other person not being a child or young person, whenever practicable, sit either in a different building or

room from that in which the ordinary sittings of the court are held or on different days or at different times from those at which the ordinary sittings are held.

PART VII.

Miscellaneous.

36. (1) Where a person, whether charged with an offence or not is brought before any court other-wise than for the purpose of giving evidence, and it appears to the court that he is a child or young person, the court shall make due inquiry as to the age of that person and for that purpose shall take such evidence as may be forthcoming at the hearing of the case, but an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated to the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Regulation, be deemed to be the true age of that person, and, where it appears to the court that the person so brought before it is of the age of sixteen years or upwards, the person shall, for the purposes of this Regulation, be deemed not to be a child or young person.

(2) No court shall in appeal or revision interfere with any presumption or declaration as to age made under sub-section (1).

37. (1) In determining the certified school to which a youthful offender or child is to be sent under this Regulation, the court shall endeavour to ascertain the religious persuasion to which the youthful offender or child belongs and shall, if possible, select a school in which facilities are afforded for instruction in his religion.

(2) Where a child or young person is committed to suitable custody under this Regulation, the court, in determining the person to whose custody the child or young person shall be committed, shall endeavour in like manner to ascertain the religion of the child or young person and shall, if possible, select a person of the same religion, or a person who gives such undertaking as seems to the court sufficient that the child or young person shall be brought up in accordance with his own religion.

38. The conviction of a child or young person shall not be regarded as a conviction for the purposes of any disqualification attaching to convictions of offences.

39. Any person to whose custody a child or young person is committed under the provisions of this Regulation shall, while the order is in force have the like control over the child or young person as if he were his parent and shall be responsible for his maintenance and the child or young person shall continue in his custody notwithstanding that he is claimed by his parent or any other person.

40. The provisions of Chapter XLI of the Cochin Code of Criminal Procedure, shall, so far as may be, apply to bonds taken under this Regulation.

41. (1) An appeal from an order made by a court under sections Appellate and revisional 25, 28, 29, 30 or 32 shall lie, jurisdiction of courts.

(a) if passed by a Juvenile Court or by a first class Magistrate or the District Magistrate to the court of Session;

(b) if passed by a court of Session to the Chief Court.

(2) No appeal shall lie from any order passed in any such appeal.

(3) Any order passed under the provisions of this Regulation and not otherwise provided for may be revised by the Chief Court.

42. (1) With the previous sanction of the Government in each case the managers of senior certified schools may receive, if and as prescribed, youthful offenders ordered to be sent to a senior certified school by any court or tribunal in the Madras Presidency or the territories of any Indian State.

Transfer of youthful offenders from within the State to outside and Vice Versa.

(2) The Government may order any youthful offender to be transferred from any senior certified school in Cochin to any senior certified school within the Madras Presidency or within the territories of any Indian State when there is an arrangement in that behalf between the Government of Madras or such Indian State on the one hand and the Cochin Government on the other.

(3) Where under the provisions of this Regulation, any youthful offender is ordered by a court to be sent to a senior certified school, the Government may order him to be transferred to any senior certified school within the Madras Presidency or within the territories of any Indian State when there is an arrangement in that behalf between the Government of Madras or such Indian State on the one hand and the Cochin Government on the other.

43. (1) The Government may make rules for the purpose of carrying Rules. into effect the provisions of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing, such rules may be made with regard to—

(a) the establishment and maintenance of certified schools and auxiliary homes and the certification of schools as senior and junior certified schools and of auxiliary homes;

(b) the management of certified schools and auxiliary homes;

(c) the appointment of visitors and their tenure of office;

(d) the inspection of certified schools;

(e) the maintenance, education and industrial training of the inmates of certified schools;

(f) the conveyance of youthful offenders and children to certified schools;

(g) the grant of permission to the inmates of certified schools to absent themselves for short periods;

- (h) visits to and communication with the inmates of certified schools;
 - (i) the punishment of offences committed by the inmates of certified schools;
 - (j) the inspection of uncertified institutions under section 16;
 - (k) the class of persons who may be authorised to act under section 28 (1);
 - (l) the manner in which a child or young person may be committed to suitable custody and the supervision of such children and young persons;
 - (m) the contribution by parents and other persons liable to maintain children and young persons;
 - (n) the boarding out, licensing and supervision of children and young persons;
 - (o) the procedure to be adopted in any case or inquiry under this Regulation before any court other than a juvenile court;
 - (p) the time within which appeals under section 41 shall be filed;
 - (q) the detention of children and young persons under arrest or remanded or committed for trial; and
 - (r) the procedure to be adopted in juvenile courts.
- (3) All rules made under sub-section (2) (q) and (r) shall be subject to the previous approval of the Government.
- (4) All rules made under this section shall be published in the Cochin Government Gazette and, on such publication, they shall have the same effect as if enacted in this Regulation.

Clauses put and carried.

Mr. President.—The question is that clause 1 stand part of the Bill.

PART I.

Preliminary.

1. (1) This Regulation may be called the Cochin Children Regulation, of 111 .
Short title, extent and commencement.

(2) The Government may, by notification in the Cochin Government Gazette, from time to time, apply the whole or any portion of this Regulation to children, young persons or youthful offenders or any class thereof in any local area in Cochin, from such date as may be specified in the notification and may cancel or modify any such notification.

Clause put and carried.

Mr. President.—The question is that the title and the preamble stand part of the Bill.

The Cochin Children Bill.

A Regulation to make further provisions for the custody, trial and punishment of youthful offenders and for the protection of children and young persons.

Whereas it is expedient to provide further for the custody, trial and punishment of youthful offenders and for the protection of children and young persons; It is hereby enacted as follows:—

Title and preamble put and carried.

Mr. Thomas Manjuran.—I move that the Bill may be taken up and finally passed on the day after tomorrow.

Mr. T. S. Narayana Ayyar.—I second it.

Motion put and carried.

The Cochin Income-tax Regulation Amendment Bill.

Mr. Thomas Manjuran.—Sir, I beg to present the Select Committee Report on the Cochin Income Tax Regulation Amendment Bill and I also move that the Bill as reported by the Select Committee be taken up for consideration.

Mr. T. S. Narayana Ayyar.—I second it.

Motion put and carried.

Mr. President.—The question is that clause 2 stand part of the Bill.

2. After clause (5) of section 2 of the said Regulation, the following clause shall be inserted, namely.—

Addition of a new clause
after clause (5) of Section
2.

“(5) (a) ‘Firm’, ‘partner’ and ‘partnership’ have the same meanings respectively as in the Indian Contract Act, 1872, as made applicable to Cochin by His Highness the Maharaja’s Proclamation, dated 13th Karkadagam 1083”.

Clause put and carried.

Mr. President.—The question is that clause 3 stand part of the Bill.

Mr. Thomas Manjuran.—Sir, I rise to move the following amendment:— “Substitute the figure ‘4’ for the letter ‘A’. It is only a printer’s devil.

Mr. T. S. Narayana Ayyar.—I second it.

Amendment put and carried.